

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

CONSTRUCTION WORKERS PENSION	)	
TRUST FUND OF LAKE COUNTY	)	
AND VICINITY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	2:20-CV-331-PPS-APR
	)	
INDIANA EARTH, Inc.,	)	
	)	
Defendant.	)	

**ORDER**

Plaintiff, Construction Workers Pension Trust Fund of Lake County and Vicinity, filed a Voluntary Dismissal Without Prejudice [DE 5]. The opposing party has not yet served either an answer or a motion for summary judgment. Pursuant to Federal Rule of Civil Procedure Rule 41(a)(1)(A)(i), the Voluntary Dismissal [DE 5] is **GRANTED**.

The Clerk is **ORDERED** to **DISMISS THIS COMPLAINT IN ITS ENTIRETY WITHOUT PREJUDICE**. The Clerk is further **ORDERED** to **CLOSE** this case.  
SO ORDERED.

ENTERED: September 18, 2020.

s/ Philip P. Simon  
PHILIP P. SIMON, JUDGE  
UNITED STATES DISTRICT COURT